

LATHAM & WATKINS LLP

June 19, 2023

VIA ECF

Hon. Kenneth M. Karas, U.S.D.J.
The Hon. Charles L. Brieant Jr.
Federal Building and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

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Re: *GlobalFoundries U.S. Inc. v. Intl. Bus. Machines Corp.*, No. 23-CV-03348-KMK
Letter Motion to Seal

Dear Judge Karas:

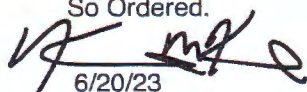
We write on behalf of Plaintiff GlobalFoundries U.S. Inc.'s ("GF") to request an order authorizing: (1) the public filing of a minimally-redacted version of GF's June 19, 2023 letter setting forth GF's bases to oppose Defendant International Business Machines Corporation ("IBM") anticipated motion to dismiss, and (2) the sealed filing of Exhibit C thereto.

On May 11, 2023, the Court granted GF's application to permanently maintain the sealed, unredacted Complaint that was originally filed in Case No. 23-MC-111.¹ (ECF No. 37.) The minimal redactions in GF's letter quote the sealed parts of that Complaint or the terms of the parties' confidential Albany Cooperation Agreement that formed the basis of GF's initial sealing request, which the Court granted in Order No. 37. Exhibit C is a copy of the Albany Cooperation Agreement.

We thank the Court for its consideration.

Granted.

So Ordered.


6/20/23

cc: All counsel of record (via ECF)

Respectfully submitted,

/s/ Clement J. Naples
Clement J. Naples

¹ GF incorporates by reference all arguments made in its motion to permanently seal the Complaint. ECF No. 26.